

Entered - 10-4-00 - sb
CL 00L0658 - ALEXIS HOLMES

CLAIM OF: **K. MICHELLE BUCKMAN**
14 Vista Square
Atlanta, Georgia 30327

01- *R*-0252

For vehicular damages alleged to have been sustained as a result of driving over an improperly secured steel plate in the road on September 27, 2000 at DeFours Avenue and Mantissa Street NW.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **K. Michelle Buckman** the sum of **\$561.47** in full settlement and satisfaction of all claims, past, present and future, of every kind and character **for vehicular damages alleged to have been sustained as a result of driving over an improperly secured steel plate in the road on September 27, 2000 at DeFours Avenue and Mantissa Road** as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY *Robert J. Chaffin DCA*

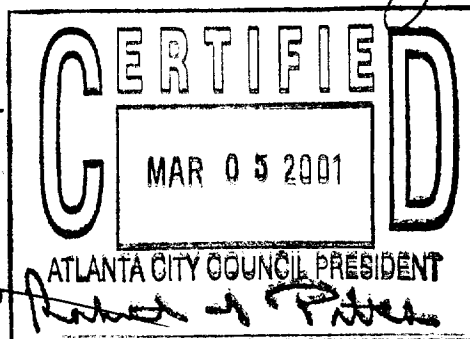
ADOPTED BY
MAR 05 2001
COUNCIL

Rosalind Rubens Newell
MUNICIPAL CLERK
CERTIFIED
MAR 05 2001

COM. *P.S. & LA*

DATE *2/27/01*

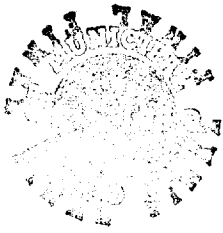
CHM. *G. T. Minter*
Michael Smith
Dmy. Shyba
Clara Knicker



APPROVED

MAR 14 2001

WITHOUT SIGNATURE
OF CLERK OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-0252

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **K. Michelle Buckman** in the sum of **\$561.47** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **driving over an improperly secured steel plate in the road on September 27, 2000 at DeFours Avenue and Mantissa Street, NW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Deputy Clerk

**ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403**

March 5, 2001

March 14, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0658

Date: 2/9/01

Claimant /Victim K. MICHELLE BUCKMAN

BY: (Atty)

Address: 14 Vista Square, Atlanta, Georgia 30327

Subrogation: Claim for Property damage \$ 561.47 Bodily Injury \$

Date of Notice: 10/11/00 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 9/27/00 Place: DeFoors Avenue and Mantissa Road

Department Public Works Division: Sewer Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant sustained damages when she drove over a steel plate covering in the road. The City had prior knowledge of the problem and had failed to properly secure the steel plate covering or erect a barricade or post warnings to motorist.

INVESTIGATION:

Statements: City employee Claimant Other Written Oral

Pictures X Diagrams Reports: Police X Dept Report X Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial X

Improper Notice More than Six Months Other Damages reasonable X

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ 561.47 Adverse Account charged: 1A01 2J01 X 2H01

Claims Manager Concur/date 02-12-01

Committee Action Council Action

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 10/4/00

Holmes
10/23/00
pm

Dear Municipal Clerk:

ENTERED - 10-24-00 - SB

00L0658 - ALEXIS HOLMES

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 561.47 property and/or \$ - 0 - bodily injury for which I contend the City is liable.

1. Date of incident: 09/27/00 (month/day/year) 2. Time of Incident: 12:15 p.m. 3. Police called: Yes ☒ No ☐
4. Location of incident (including street address): Near corner of Defoor Avenue + Mantis St. NW
5. Name of your insurance company: Liberty Mutual Insurance Policy No. _____
6. State what and how incident occurred: Drove through construction/pothole + hit metal plate situated around a curve. The impact damaged wheel + tire, resulting in replacement of both parts. The metal plate is not serving its purpose + is behind the damaged asphalt, not over it.
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).
Your vehicle: Volvo 1997 233MRJ K. Michelle Buckman
(Make) (Year) (Tag Number) (Driver's Name)
City vehicle: N/A
(Make) (City Driver's Name) (Department/Bureau)
9. Witness: Chris C. Sipos 12 Vista Square Atl. 404-355-4532
(Name) (Address) (Telephone Number)
10. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

K. Michelle Buckman
Signature of Claimant

K. Michelle Buckman
(Print Claimant's Name)


14 Vista Square
(Address)

Atlanta, GA 30327
(City, State and Zip Code)

404-894-6894 404-352-2381
(Work Number) (Home Number)

01-R-0252

01-R-0252



RCS# 2689
3/05/01
6:36 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1 thru. 13

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas	ITEM (S) REMOVED FROM
Y Starnes	Y Woolard	NV Martin	Y Emmons	<u>CONSENT AGENDA</u>
Y Bond	Y Morris	B Maddox	Y Alexander	01-O-0240
Y Winslow	Y Muller	Y Boazman	NV Pitts	01-R-0307
				01-R-0346

CONSENT

**ITEMS ADOPTED ON CONSENT
AGENDA**

1. 01-O-0179
 2. 01-O-0348
 3. 00-O-1657
 4. 01-O-0355
 5. 01-O-0152
 6. 01-R-0190
 7. 01-R-0349
 8. 01-R-0351
 9. 01-R-0290
 10. 01-R-0304
 11. 01-R-0305
 12. 01-R-0369
 13. 01-R-0370
 14. 01-R-0297
 15. 01-R-0300
 16. 01-R-0298
 17. 01-R-0299
 18. 01-R-0251
 19. 01-R-0252
 20. 01-R-0253
 21. 01-R-0254
 22. 01-R-0255
 23. 01-R-0256
 24. 01-R-0257
 25. 01-R-0258
 26. 01-R-0259
 27. 01-R-0260
 28. 01-R-0261
 29. 01-R-0262
 30. 01-R-0263
 31. 01-R-0264
 32. 01-R-0265
 33. 01-R-0266
 34. 01-R-0267
 35. 01-R-0268
 36. 01-R-0269
 37. 01-R-0291
 38. 01-R-0292
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**ITEMS ADVERSE
ON CONSENT AGENDA**

39. 01-R-0270
40. 01-R-0271
41. 01-R-0272
42. 01-R-0273
43. 01-R-0274
44. 01-R-0275
45. 01-R-0276
46. 01-R-0277
47. 01-R-0278
48. 01-R-0279
49. 01-R-0280
50. 01-R-0281
51. 01-R-0282
52. 01-R-0283
53. 01-R-0284
54. 01-R-0285
55. 01-R-0286
56. 01-R-0287
57. 01-R-0288
58. 01-R-0289